

FIRST REGULAR SESSION

# HOUSE BILL NO. 881

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SCOTT, CRAWFORD AND HENDERSON (Co-sponsors).

Read 1<sup>st</sup> time February 27, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1915L.021

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### AN ACT

To repeal section 198.280, RSMo 2000, relating to nursing home districts, and to enact in lieu thereof one new section relating to the same subject.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 198.280, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 198.280, to read as follows:

198.280. 1. After the nursing home district has been declared organized, the declaring county commission shall **either:**

(1) Divide the district into six election districts as equal in population as possible, and shall by lot number the districts from one to six, inclusive. The county commission shall cause an election to be held in the nursing home district within ninety days after the order establishing the nursing home district to elect nursing home district directors. The election shall be called, held and conducted and notice shall be given as provided in sections 198.240 to 198.270, and each voter shall vote for the director from his **or her** district; **or**

(2) **Cause an election to be held in the nursing home district within ninety days after the order establishing the nursing home district to elect six at-large nursing home district directors. The election shall be called, held and conducted and notice shall be given as provided in sections 198.240 to 198.270.**

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After August 28, 1994, directors shall be elected for a term of three years. The first director whose term expires after August 28, 1994, shall continue to hold office until the expiration of the term of the second director whose term expires after August 28, 1994, at which time both

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 such directors shall be elected for a term of three years. The third director whose term expires  
18 after August 28, 1994, shall continue to hold office until the expiration of the term of the fourth  
19 director whose term expires after August 28, 1994, at which time both such directors shall be  
20 elected for a term of three years. The fifth director whose term expires after August 28, 1994,  
21 shall continue to hold office until the expiration of the term of the sixth director whose term  
22 expires after August 28, 1994, at which time both such directors shall be elected for a term of  
23 three years. All directors shall serve until their successors are elected and qualified. If a vacancy  
24 occurs, the board shall select a successor who shall serve until the next regular election of a  
25 director is to be held in that **nursing home or election** district. If no candidate files a declaration  
26 of candidacy for a **nursing home or election** district, a majority of the board of directors may,  
27 after the election in that **nursing home or election** district would have regularly been held,  
28 appoint any resident of the nursing home district who otherwise qualifies [under] **pursuant to**  
29 subsection 2 of this section to fill that vacancy.

30         2. Candidates for director of the nursing home district shall be citizens of the United  
31 States, resident taxpayers of the nursing home district who have resided within the state for one  
32 year next preceding the election and who are at least twenty-four years of age. All candidates  
33 shall file their declarations of candidacy with the county commission calling the election at least  
34 twenty days prior to the special election.

35         3. Notwithstanding any other provisions of law to the contrary, if the number of  
36 candidates for the office of director is equal to the number of directors to be elected, no election  
37 shall be held, and the candidates shall assume the responsibility of their offices at the same time  
38 and in the same manner as if they have been elected; however, if any vacancies are created after  
39 local certification and prior to the deadline provided in subdivision (4) of section 115.453,  
40 RSMo, which cause the number of filed candidates to be less than the number of vacancies to  
41 be filled, an election shall be held, and write-in candidates for such positions shall be eligible as  
42 otherwise provided by law.